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5 UNITED STATES DISTRICT COURT  
6 NORTHERN DISTRICT OF CALIFORNIA

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8 MMCA GROUP, LTD., No. C-06-7067 MMC (EMC)  
9 Plaintiff,

10 v.  
11 HEWLETT-PACKARD COMPANY, *et al.*,  
12 Defendants.

**ORDER GRANTING PLAINTIFF'S EX  
PARTE APPLICATION FOR ORDER  
SHORTENING TIME**  
**(Docket No. 268)**

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15 Plaintiff MMCA Group, Ltd. has filed a motion to compel, *see* Docket No. 267, which it asks  
16 to be heard on shortened time. More specifically, MMCA requests that its motion to compel, which  
17 seeks production of documents from Defendant Business Risks International, Limited ("BRI"), be  
18 heard prior to the date that Judge Chesney hears BRI's motion to dismiss. The motion to dismiss is  
19 currently set for hearing on July 18, 2008.

20 BRI opposes the request for shortened time for several reasons -- *e.g.*, because MMCA failed  
21 to meet and confer regarding shortened time, failed to identify any substantial harm or prejudice that  
22 would occur in the absence of shortened time, and failed to meet and confer regarding the  
23 underlying discovery dispute. BRI also contends that shortening time is unnecessary because, even  
24 if this Court were to grant MMCA's motion to compel, documents would not be available to MMCA  
25 before its opposition to BRI's motion to dismiss is due (in fact, the opposition has now been filed)  
26 "and therefore could not be considered by Judge Chesney in ruling on the motion to dismiss."

27 Opp'n at 9.

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1 Having considered the parties' briefs and accompanying submissions, as well as all other  
2 evidence of record, the Court hereby **GRANTS** MMCA's motion to shorten time. The Court does  
3 not condone what appears to be a failure to meet and confer, both with respect to the issue of  
4 shortened time and the underlying discovery dispute. That being said, as a practical matter, it makes  
5 sense for the discovery motion to be heard on shortened time when it is clear that the parties are at  
6 an impasse with respect to the discovery dispute and when the motion to dismiss shall be heard by  
7 Judge Chesney, at least as of this date, on July 18, 2008.

8 MMCA's motion to compel shall be heard on July 9, 2008, at 10:30 a.m. Any opposition  
9 shall be filed by 12:00 p.m. on July 7, 2008. There shall be no reply brief.

10 This order disposes of Docket No. 268.

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IT IS SO ORDERED.

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Dated: June 30, 2008

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EDWARD M. CHEN  
United States Magistrate Judge

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